

Meeting Date: 09/16/08

Santa Clara



# AGENDA REPORT

Agenda Item # 8c

City of Santa Clara, California



**DATE:** August 25, 2008

**TO:** City Manager for Council Action

**FROM:** Director of Planning and Inspection

**SUBJECT:** Planning Commission Recommendation that Council Adopt a Resolution to Rezone Two Vacant Lots at 1888 and 1898 Fairway Glen Drive from R1-6L (Single Family Residential) to PD[R1-6L](Planned Development) in Conjunction with the Construction of Two Single Family Residences (PLN2006-06024), Subject To Conditions

## EXECUTIVE SUMMARY:

This project provides two new single-family residences within the City of Santa Clara. The applicant is requesting to be allowed to construct two single family residences on two vacant parcels of land. Rezoning of the two parcels from R1-6L (Single Family Residential) to PD (Planned Development) would allow construction of two new single family homes on two lots of less than 6,000 square feet in area each.

As evidenced in the attached Planning Commission minutes, after holding a public hearing on July 23, 2008 and reviewing the attached staff report, the Planning Commission recommended that the City Council approve the PD Zoning. Subsequent to the Planning Commission meeting, staff has received a request from San José International Airport requesting an Avigation Easement for the two parcels prior to issuance of a building permit to provide for acceptance of aircraft noise impacts and elevation limits on the project site. Condition #36 has been added to the conditions of approval for the requirement of an Avigation Easement. Public noticing in compliance with State law has been done.

## ADVANTAGES AND DISADVANTAGES OF ISSUE:

Approval of the project provides two new single family homes on a site that is currently vacant. Construction of the new homes would abate existing graffiti problems on these lots, and vacant lots which are now often used for illegal dumping. The project is also intended to achieve the City's land use and housing objectives, improve the jobs/housing balance by converting underutilized vacant land, and contribute to meeting the City's regional housing requirements. The project would contribute to repairs and replacement of damaged curb, gutter and sidewalks within the public right-of-way along the property's frontage, including a sidewalk accessibility ramp at the westerly side of Fairway Glen Drive (APN 097-16-041). The two new residences would also contribute additional property taxes.

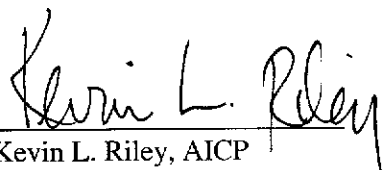
## ECONOMIC/FISCAL IMPACT:

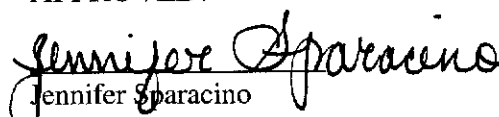
There is no cost to the City other than administrative staff time and expense.

Date: August 25, 2008  
To: City Manager for Council Action  
From: Director of Planning and Inspection  
Subject: Recommendation to Rezone

**RECOMMENDATION:**

That the Council, pursuant to the Planning Commission recommendation, adopt a resolution to rezone two vacant lots at 1888 and 1898 Fairway Glen Drive from R1-6L (Single Family Residential) to PD[R1-6L](Planned Development), in conjunction with the construction of two Single Family Residences (PLN2006-06024), subject to conditions.

  
Kevin L. Riley, AICP  
Director of Planning and Inspection

APPROVED:  
  
Jennifer Sparacino  
City Manager

*Documents related to this report:*

- 1) *City Council Resolution (with Attachments and Conditions of Approval)*
- 2) *Planning Commission Excerpt Minutes of July 23, 2008*
- 3) *Planning Commission staff report of July 23, 2008*

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF SANTA CLARA, CALIFORNIA, REZONING THE  
PARCELS LOCATED AT 1888 AND 1898 FAIRWAY GLEN  
DRIVE, SANTA CLARA**

**PLN2006-06024 (Rezone)**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA,  
CALIFORNIA, AS FOLLOWS:**

**WHEREAS**, Fred Raia and Brian Wilson, owners of 1888 and 1898 Fairway Glen Drive (APNs 097-16-041 and 042), applied for a Rezoning of the property from R1-6L (Single Family Residential) to PD (Planned Development); and

**WHEREAS**, the 1992 General Plan of the City of Santa Clara designates the property at 1888 and 1898 Fairway Glen Drive in the City of Santa Clara ("Project Site") as Single Family Detached Use; and

**WHEREAS**, the Project Site is currently zoned as R1-6L (Single Family Residential); and

**WHEREAS**, in order to construct two single family for-sale residences on the two existing vacant lots ("Project"), all as shown on the Development Plan, attached hereto and incorporated herein by reference as Exhibit A ("Development Plan"), the Project Site needs to be rezoned to PD(R1-6L) [Planned Development]; and

**WHEREAS**, Santa Clara City Code ("SCCC") Section 18.112.040 provides for the review and recommendation of the City's Planning Commission of all rezoning requests before action by the City Council; and

**WHEREAS**, SCCC Section 18.112.030 requires that the City Council consider rezoning of a property only after holding a public hearing; and

**WHEREAS**, SCCC Section 18.112.060 requires that notice of the hearing be given by posting the property in at least three (3) conspicuous places at least ten (10) days prior to the hearing date; and

**WHEREAS**, SCCC Section 18.112.060 further requires that notice of the hearing be given by mailing notices to property owners, as of the last assessor's roll, within three hundred (300) feet of the boundary of the property; and

**WHEREAS**, notices describing the proposed rezoning were sent to neighboring property owners on August 19, 2008; and

**WHEREAS**, notices describing the proposed rezoning were posted at the Project Site on August 19, 2008; and

**WHEREAS**, following a noticed public hearing on July 23, 2008, for the Project approval, the Planning Commission recommended to the City Council of the City of Santa Clara that it rezone the Project Sites to PD(R1-6L); and

**WHEREAS**, the Project entitlements will include this Rezoning Resolution (collectively "Entitlements"); and

**WHEREAS**, before considering the rezoning of the Project Site, the City Council reviewed and considered the information contained in the Planning Commission staff report and minutes; and

**WHEREAS**, the City Council finds that the identified Conditions of Approval, attached hereto and incorporated by reference as Exhibit B, have been incorporated and imposed on the Project, and will provide two additional housing units; and

**WHEREAS**, the City Council has reviewed the requested rezoning of the Project Site and conducted a public hearing.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:**

1. That the Project Sites, consisting of two lots approximately 3,972 square feet (1888 Fairway Glen Drive) and 2,158 square feet (1898 Fairway Glen Drive), are hereby rezoned from R1-6L (Single Family Residential) to PD (Planned Development).
2. Pursuant to SCCC Section 18.112.010, the City Council finds and determines that the public necessity or convenience of the general welfare require the rezonings set forth above in order to conserve property values, protect or improve the existing character and stability of the area in question, promote the orderly and beneficial development of such area, and allow imaginative planning and design concepts to be utilized which would otherwise restrict the construction of the two single family residences in the existing residential neighborhood within other zoning districts.
3. That, based on this Rezoning Resolution and the evidence in the City Staff Report and any oral or written testimony submitted at the hearing on this matter, the City Council hereby rezones the Project Site as set forth herein.
4. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City Council of the City of Santa Clara hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

**I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION  
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA  
CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_  
DAY OF SEPTEMBER, 2008, BY THE FOLLOWING VOTE:**

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

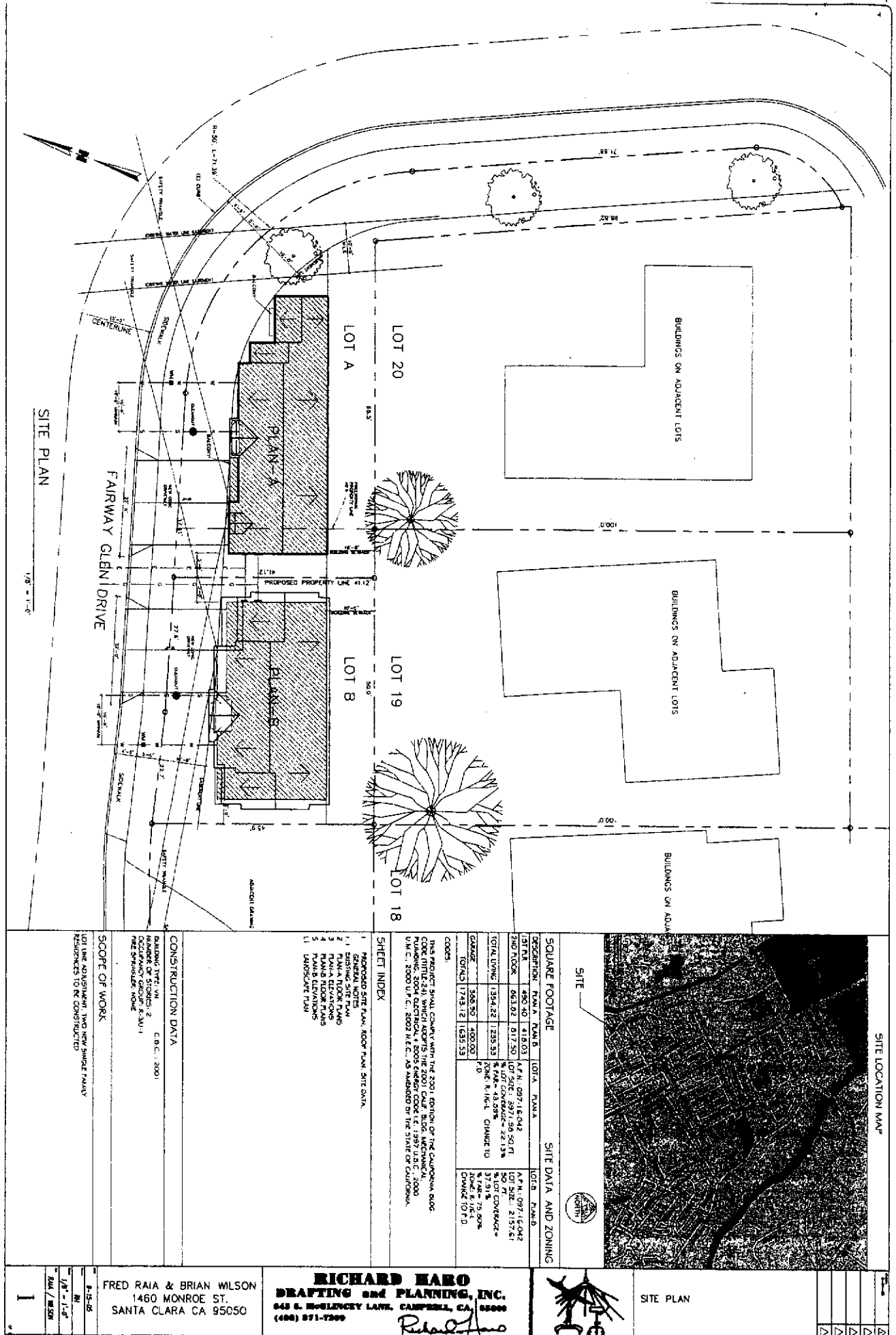
ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
ROD DIRIDON, JR.  
CITY CLERK  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Exhibit A: Development Plan
2. Exhibit B: Conditions of Approval

I:\PLANNING\2008\Project Files Active\PLN2006-06024 1888-1889 Fairway Glen Dr\Resolution-rezone-2.doc



SQUARE FOOTAGE		SITE DATA AND ZONING	
DESCRIPTION	PLAN A	PLAN B	PLAN C
STREET	480.40	418.03	418.03
2ND FLOOR	663.82	217.50	LOT 502 - 8971.86 SQ. FT.
TOTAL LIVING	1354.22	1735.53	LOT 502 - 8971.86 SQ. FT.
CHANGING	558.50	100.00	LOT 502 - 8971.86 SQ. FT.
TOTAL	1743.12	1635.53	LOT 502 - 8971.86 SQ. FT.

**SCOPE OF WORK**

1. EXISTING SITE PLAN

2. EXISTING SITE PLAN

3. EXISTING SITE PLAN

4. EXISTING SITE PLAN

5. EXISTING SITE PLAN

6. EXISTING SITE PLAN

7. EXISTING SITE PLAN

8. EXISTING SITE PLAN

9. EXISTING SITE PLAN

10. EXISTING SITE PLAN

11. EXISTING SITE PLAN

12. EXISTING SITE PLAN

13. EXISTING SITE PLAN

14. EXISTING SITE PLAN

15. EXISTING SITE PLAN

16. EXISTING SITE PLAN

17. EXISTING SITE PLAN

18. EXISTING SITE PLAN

19. EXISTING SITE PLAN

20. EXISTING SITE PLAN

21. EXISTING SITE PLAN

22. EXISTING SITE PLAN

23. EXISTING SITE PLAN

24. EXISTING SITE PLAN

25. EXISTING SITE PLAN

26. EXISTING SITE PLAN

27. EXISTING SITE PLAN

28. EXISTING SITE PLAN

29. EXISTING SITE PLAN

30. EXISTING SITE PLAN

31. EXISTING SITE PLAN

32. EXISTING SITE PLAN

33. EXISTING SITE PLAN

34. EXISTING SITE PLAN

35. EXISTING SITE PLAN

36. EXISTING SITE PLAN

37. EXISTING SITE PLAN

38. EXISTING SITE PLAN

39. EXISTING SITE PLAN

40. EXISTING SITE PLAN

41. EXISTING SITE PLAN

42. EXISTING SITE PLAN

43. EXISTING SITE PLAN

44. EXISTING SITE PLAN

45. EXISTING SITE PLAN

46. EXISTING SITE PLAN

47. EXISTING SITE PLAN

48. EXISTING SITE PLAN

49. EXISTING SITE PLAN

50. EXISTING SITE PLAN

51. EXISTING SITE PLAN

52. EXISTING SITE PLAN

53. EXISTING SITE PLAN

54. EXISTING SITE PLAN

55. EXISTING SITE PLAN

56. EXISTING SITE PLAN

57. EXISTING SITE PLAN

58. EXISTING SITE PLAN

59. EXISTING SITE PLAN

60. EXISTING SITE PLAN

61. EXISTING SITE PLAN

62. EXISTING SITE PLAN

63. EXISTING SITE PLAN

64. EXISTING SITE PLAN

65. EXISTING SITE PLAN

66. EXISTING SITE PLAN

67. EXISTING SITE PLAN

68. EXISTING SITE PLAN

69. EXISTING SITE PLAN

70. EXISTING SITE PLAN

71. EXISTING SITE PLAN

72. EXISTING SITE PLAN

73. EXISTING SITE PLAN

74. EXISTING SITE PLAN

75. EXISTING SITE PLAN

76. EXISTING SITE PLAN

77. EXISTING SITE PLAN

78. EXISTING SITE PLAN

79. EXISTING SITE PLAN

80. EXISTING SITE PLAN

81. EXISTING SITE PLAN

82. EXISTING SITE PLAN

83. EXISTING SITE PLAN

84. EXISTING SITE PLAN

85. EXISTING SITE PLAN

86. EXISTING SITE PLAN

87. EXISTING SITE PLAN

88. EXISTING SITE PLAN

89. EXISTING SITE PLAN

90. EXISTING SITE PLAN

91. EXISTING SITE PLAN

92. EXISTING SITE PLAN

93. EXISTING SITE PLAN

94. EXISTING SITE PLAN

95. EXISTING SITE PLAN

96. EXISTING SITE PLAN

97. EXISTING SITE PLAN

98. EXISTING SITE PLAN

99. EXISTING SITE PLAN

100. EXISTING SITE PLAN

## **Exhibit B**

### **RECOMMENDED CONDITIONS OF APPROVAL**

*In the event that this request is favorably considered, it is recommended that the Planning Commission recommend the following conditions of approval. In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following conditions of approval are recommended:*

#### **GENERAL**

1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

#### **ENGINEERING**

2. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process.
3. All work within the public right-of-way, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a **Single Street Opening Permit** issued by the City Engineering Department. Issuance of the Street Opening Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
4. Construct driveway(s) in the public right-of-way to City residential type standards.
5. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and corners in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.
6. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk.
7. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
8. Submit application for Tentative Lot Line Adjustment to reconfigure the parcels.
9. Obtain Council approval of a resolution ordering vacation of the portion of existing storm drain easement proposed to be abandoned, through Engineering Department, and pay all appropriate fees, prior to building permit issuance.
10. Building and roof overhang shall not encroach into PUE or the 10-foot PG&E gas line easement.
11. Developer to install an accessibility ramp at the westerly side of 1898 Fairway Glen Drive (APN 097-16-041).



## **ELECTRIC**

12. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a "Load Survey" form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a "Service Investigation Form" and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.
13. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
14. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
15. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.
16. Underground service entrance conduits and conductors shall be "privately" owned, maintained, and installed per City Building Inspection Division Codes. Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G6 and MS-G7.
17. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).
18. All electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
19. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.
20. Any relocation of existing electric facilities shall be at Developer's expense.
21. Electric Load Increase fees may be applicable.
22. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service

wires, cables, conductors, and associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2)).

23. Electrical improvements (including underground electrical conduits on properties frontage) may be required if any private single improvement valued at \$50,000 or more or any series of private improvements made within a three-year period valued at \$50,000 or more in conjunction with a use, variance, or moving permit. Also may be required if any single private improvement valued at \$80,000 or more or any series of private improvements made within a three-year period valued at \$80,000 or more in conjunction with a building permit (Santa Clara City Code Title 17 Appendix A (Table III)).
24. Installation of a 3-foot wide paved path to meters is required.

#### **WATER**

25. All on-site water distribution facilities shall be private and shall be maintained by owner. Water needs shall be served by individual meter(s) at the public street right-of-way.
26. All sanitary sewer lateral(s), either proposed or existing, shall be equipped with a clean-out at the property line.
27. All trees, existing and proposed, must maintain minimum of ten (10) feet from any existing or proposed Water Department facilities. Existing trees that conflict must be removed by developer. Trees shall not be planted in water easements or public utility easements.
28. Any relocation of existing Water Department facilities shall be at Developer's expense.

#### **FIRE**

29. In new residential buildings, smoke alarms shall be hardwired with battery backup and be located in accordance with California Building Code Section 907.2.10.

#### **POLICE**

30. Address numbers of the individual units shall be clearly visible from the street and shall be a minimum of six (6) inches in height and of a color contrasting with the background material. Numbers shall be illuminated during the hours of darkness. Individual apartment numbers shall be a minimum of six (6) inches in height and a color contrasting to the background material and either visible from the street or from the center area of the project. Where multiple units/buildings occupy the same property, unit/building address shall be clearly visible. A monument sign, preferably at all dedicated entrances to the property, shall be prominently displayed, showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.
31. All construction of dwelling units shall conform to the requirements of the Uniform Building Security Code as adopted by the City of Santa Clara City Council.

32. Landscaping shall be of the type and situated in locations to maximize visibility from the street while providing the desired degree of aesthetics. Landscaping includes the narrow-most strip along Fairway Glen Drive. The landscaping on the narrow strip along Fairway Glen Drive shall be maintained in good repair, as determined by the Planning Director or the Planning Director's designee, in perpetuity. Security planting materials are encouraged along fence and property lines and under vulnerable windows.
33. For each individual address (unit, suite, etc.) phone company records (specifically "911" dispatch) shall reflect the actual address the phone is located at.

**PLANNING AND INSPECTION**

34. Obtain required permits and inspections from the Building Official and comply with the conditions thereof.
35. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits.
36. Prior to issuance of building permits, the applicant shall provide evidence that an avigation easement has been granted to the City of San Jose.

## 2) Planning Commission Excerpt Minutes (7-23-08)

the proposed density for the request is inconsistent with that of the General Plan, and this issue would impact any future request to subdivide the property.

Robert Fitch, representing the property owners, said the project had support from neighbors, and he asked the Commission to recommend the rezoning. He indicated a General Plan amendment would have added significant time and cost, and the owners have no intention of subdividing the lot in the future.

Van Langston asked why a 15 foot front setback was recommended on the narrow lot.

Mr. Fitch said the front porch was constructed by a contractor in violation of the setback requirement, and the owners would have to demolish the porch or request a variance.

### Commission Action

The public hearing was closed, and following discussion, Mr. Marine moved to recommend approval of the rezoning from R1-6L (Single Family Residential) to R2-7L (Duplex) and approve variances for a reduced front yard setback to 15 feet where 20 feet is required and for a reduced lot width of 50 feet where 65 feet is required for duplex zoning in conjunction with the demolition of an existing accessory unit and detached garage. Ms. O'Neill seconded the motion, and it was approved (5-0-2, Commissioners Mayer and Barcells absent).

### REZONING

<b>10.</b>	<b>File:</b>	<b>PLN2006-06024</b>
	<b>Location:</b>	1888 and 1898 Fairway Glen, two existing lots totaling 6,130 square feet located at the easterly end of Fairway Glen Drive (APN 097-16-041 and 042). Lots are zoned R1-6L (Single Family Residential).
	<b>Applicant:</b>	Richard Haro
	<b>Owner:</b>	Fred Raia
	<b>Request:</b>	<b>Rezone</b> two vacant lots from R-6L (Single Family Residential) to PD[R1-6L](Planned Development) in conjunction with the construction of two single family residences. A Lot Line Adjustment is also required (staff level approval).
	<b>Project Planner:</b>	Judith Silva, Associate Planner

### Summary of Discussion – July 23, 2008

Commissioner Marine expressed concern about the two lots, which are substandard in size.

Richard Haro provided background concerning the two vacant lots and the proposed construction of two houses.

Ms. Sciara briefed those present and showed slides of the proposal, while noting staff was supporting the rezoning request and the construction of two new single family residences.

After the public hearing, concerns were expressed by Commissioners about landscaping being kept up on the narrow strip of land along the corner property, and Condition 32 was revised to add that the landscaping be maintained on the narrowmost part of the property at 1898 Fairway Glen in perpetuity.

### Commission Action

Commissioner Champeny moved to recommend approval of the request to Rezone the two vacant lots at 1888 and 1898 Fairway Glen from R-6L (Single Family Residential) to PD[R1-6L](Planned Development) in conjunction with the construction of two single family residences, with conditions. Commissioner Stattenfield seconded the motion, and it was approved unanimously (5-0-2, Commissioner Barcells and Mayer absent).



## 3) Planning Commission Staff Report – July 23, 2008

Agenda Item # 10

File: **PLN2006-06024**  
Location: 1888 and 1898 Fairway Glen, two existing lots totaling 6,130 square feet located at the easterly end of Fairway Glen Drive (APN 097-16-041 and 042). Lots are zoned RI-6L (Single Family Residential).  
Applicant: Richard Haro  
Owner: Fred Raia/Brian Wilson  
Request: **Rezone** two vacant lots from R1-6L (Single Family Residential) to PD[R1-6L](Planned Development) in conjunction with the construction of two single family residences. A Lot Line Adjustment is also required (staff level approval).  
Project Planner: Judith Silva, Associate Planner

**Staff Recommendation: Approve, subject to conditions**

---

**NOTE:** Complete administrative records for this request are available at the Planning Division Office located at 1500 Warburton Avenue, during normal business hours.

### PROJECT DESCRIPTION

The applicant is requesting to construct two single family residences on two vacant parcels of land. Rezoning of the two parcels is being proposed to rezone the property from R1-6L (Single Family Residential) to PD (Planned Development) to allow construction of two new single family homes on lots of less than 6,000 square feet.

### PRIOR ACTIONS (Prior Commission staff reports/actions follow the current report)

09/13/06: Application received  
09/25/06: Application deemed complete by Project Clearance Committee  
06/30/08: Application deemed complete by Project Clearance Committee

### CURRENT USE / ZONING / GENERAL PLAN

Current Use: Vacant Parcels  
Current Zoning: RI-6L (Single Family Residential)

### General Plan Designation:

The General Plan designates these parcels for Single Family Detached uses. This proposal is consistent with the General Plan designation.

### NEARBY PROPERTIES Land Use and Zoning

North: Hetch-Hetchy Aquaduct (open space area)  
East: Lick Mill Park, Zoned B (Public)  
South: Single Family Residences, Zoned R1-6L (Single Family Residential)  
West: Single Family Residences, Zoned R1-6L (Single Family Residential)

### ENVIRONMENTAL DETERMINATION

Categorically exempt per Section 15332 of the CEQA Guidelines.

## **CONSISTENCY WITH DESIGN GUIDELINES**

This project is consistent with the City of Santa Clara's Design Guidelines.

### **STAFF REPORT - July 23, 2008**

**Public Input:** *The notice of public hearing for this item was posted within 300 feet of the site and was mailed to property owners within 300 feet. The following comments have been received as of the preparation of this report:*

- At the time of this staff report, there has been no public input, either in support or opposition to this request.
- The applicant's statement is attached.

**Considerations:** *The following general factors may be considered in evaluating this request. Some of these factors may represent evidence or facts that may directly support or refute the findings necessary to support this request:*

- A Rezoning of the property is being requested to change the zoning designation from R1-6L (Single Family Residential) to PD (Planned Development) to allow construction of two new single family homes on small lots.
- Lots are located at the end of Fairway Glen Drive, as the roadway curves.
- Lot A (1888 Fairway Glen Drive) is proposed at 3,972 square feet in size.
- Proposed lot coverage (Lot A) is 22.1 percent and the proposed dwelling unit is a 1,743 square feet in size.
- Lot B (1898 Fairway Glen Drive) is proposed at 2,158 square feet.
- Proposed lot coverage (Lot B) is 37.9 percent and is 1,634 square feet in size.
- Both residences are 2-stories and include 2-car garages.
- Both proposed residences are 3 bedrooms and 2-1/2 baths.
- Front and rear yards are proposed with 10 foot building setback.
- Interior sideyards are 5 feet. Lot A is 3,972 square feet in size and Lot B is 2,158 square feet in size, where 6,000 square feet is required for R1-6L Zoning.
- Lots do not meet the standards for R1-6L Zoning as far lot width and setback standards.

### **Architectural Elements**

- Both residences have front porch elements.
- Proposed structures contain two car garages.
- Structures are Craftsman like in design, with composition roofing.
- Plan A is stucco.
- Plan B has horizontal wooding siding.
- Both plans contain porches with round columns and brick floors.
- Rooflines are gable.
- Wood trellis is proposed over recessed garage entries.
- Plan A contains two second story balconies on the front elevation.
- Surrounding neighborhoods contain residences with stucco and/or wood siding.
- The project is consistent with the City of Santa Clara's Design Guidelines for single family residential properties for scale, massing, site orientation and neighborhood compatibility.

**Alternatives to the Proposal:** *The following alternative measures or possible changes to the project may achieve the project goals to some degree and/or result in a lesser impact than the project proposal, and may be but are not necessarily recommended by staff.*

- None proposed or recommended

## **FINDINGS TO SUPPORT THE REQUEST**

*Findings provide a means to link the available evidence with the decision to approve or deny the application. If this request is favorably considered, the preponderance of evidence should support the following or similar findings to approve the **rezoning** request. The following evidence and facts provide a basis for the recommendation/action on this request:*

*a) The proposed zone change will conserve property values; protect or improve the existing character and stability of the area in question; and will promote the orderly and beneficial development of such area in that:*

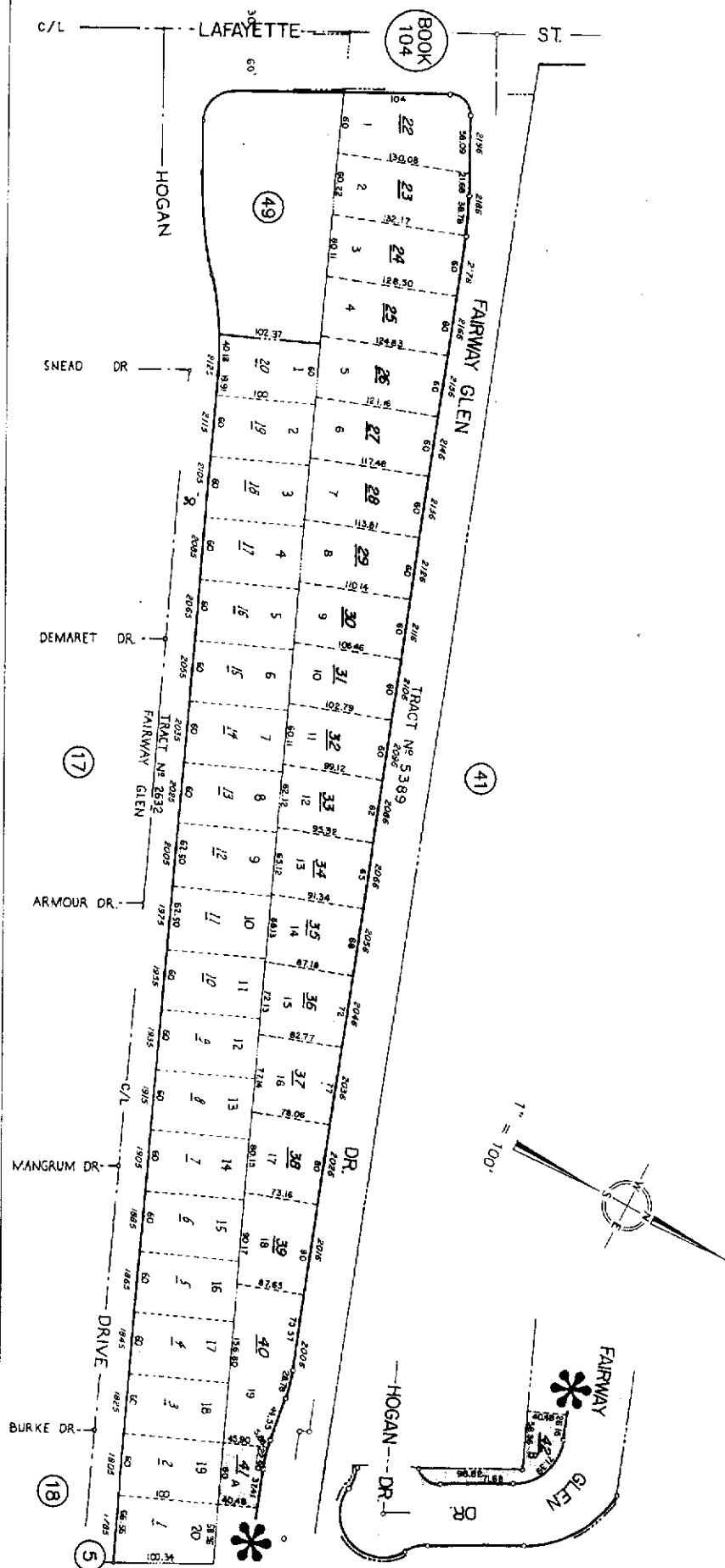
- Both lots are existing and vacant.
- Lots are located in an existing single family residential neighborhood, adjacent to Lick Mill Park and the Hetch-Hetchy aqueduct (open space).
- On-site parking will be provided.
- Construction of the new homes will abate existing graffiti problems and vacant lots which are now often used for illegal dumping.

*b) The required zone change is required by public necessity, public convenience, or the general welfare of the City in that:*

- The proposal will add two housing units to the City of Santa Clara and region.
- Development of the lots will abate existing graffiti and trash problems.

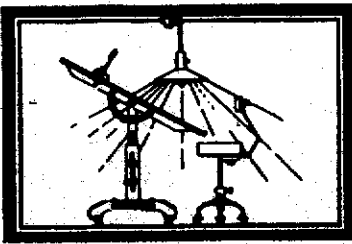
## **STAFF RECOMMENDATION – July 23, 2008**

Recommend that the Planning Commission make the necessary findings, based upon the evidence articulated above and as may be provided through the public hearing, and recommend that the City Council **approve** this request, subject to conditions.



LAWRENCE E. STONE ASSESSOR  
 Conducted map for assessment purposes only  
 Compiled under R & T Code, Sec 327  
 Effective Roll Year 2004-2005





**RICHARD HARO  
DRAFTING AND PLANNING, INC.**

---

September 26, 2006

To Judith Silva

From: Richard Quenneville/Richard Haro

Re: Fred Raia/Brian Wilson Project @ Fairway Glen

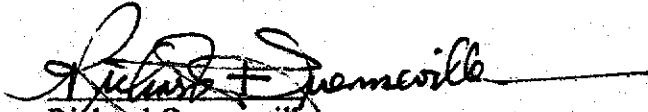
The two proposed new houses on Fairway Glen Drive are designed to follow, first, a simplified craftsman style, with open eaves, wood siding, corbels, heavy window sills, a trellis over the garage door, and a brick "wasteband" visible at the street; second, a Spanish eclectic style, with clipped eaves, tile roof, stucco exterior, heavy "foam" trim @ windows and doors.

The two houses face the park across the street on Fairway Glen, which will provide a welcome recreation area for the future residents.

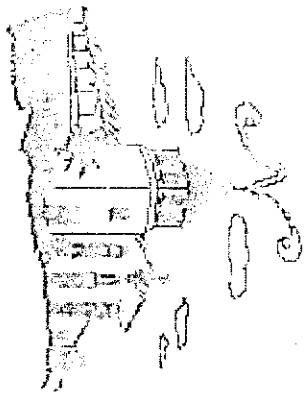
Facing the proposed new houses, there are houses adjacent to the right side and behind, but none to the left or in front because of the park.

The existing neighborhood residences are quite a mixture, some having stucco exteriors with mission style tile roofs, some wood siding with composition shingle roofing. Please refer to the attached photos.

Thank you,  
Sincerely yours,

  
Richard Quenneville

P.S. Garbage is often dumped on these empty lots. With the new houses, this will cease.

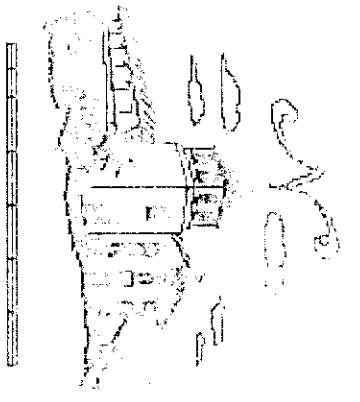


# 1888-1889 Fairway Glen Drive

PLN2006-06024

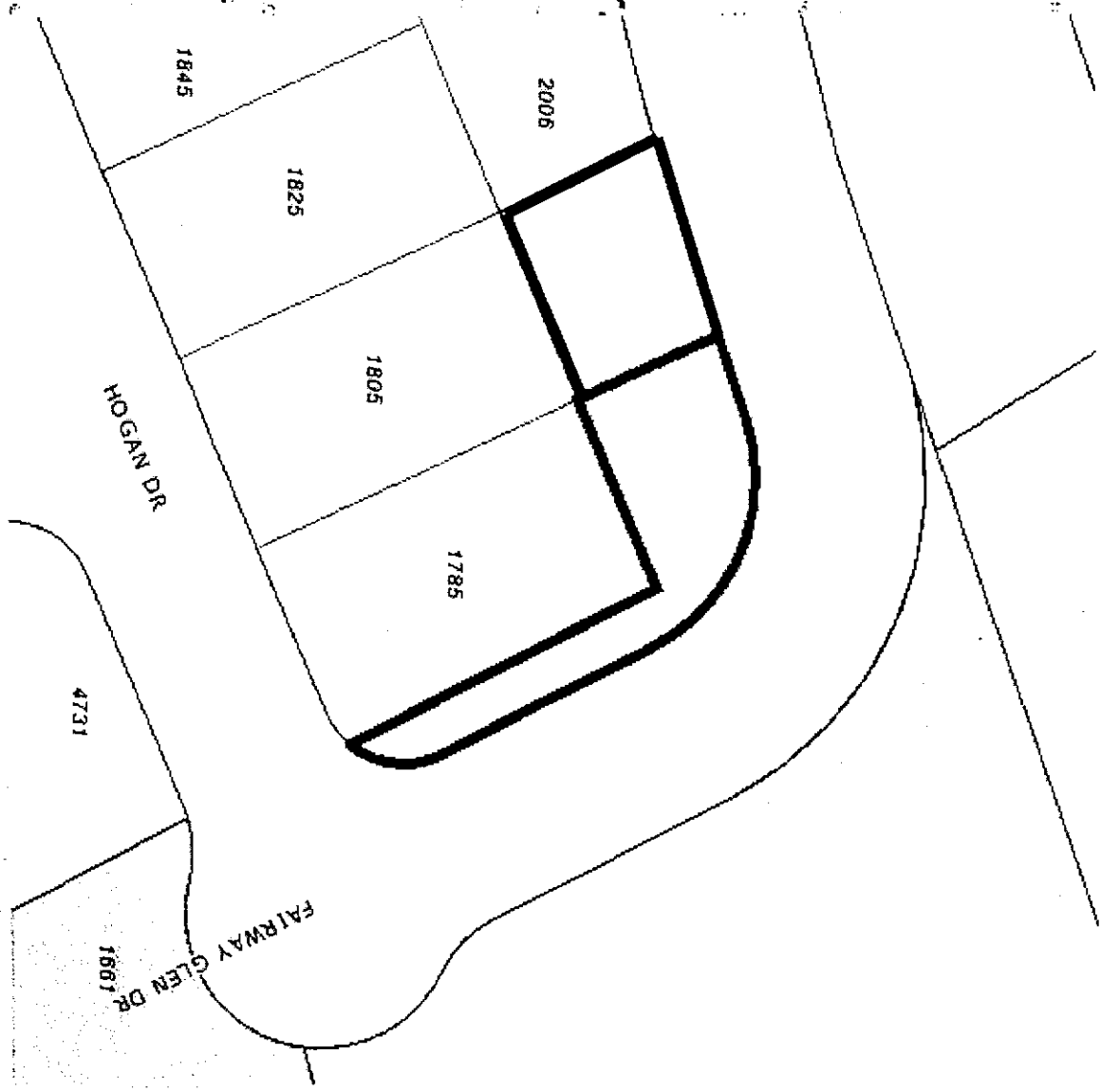
PLN2008-07157

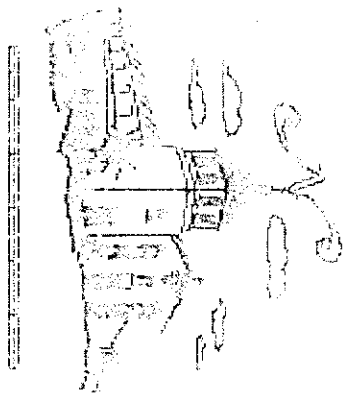
**Rezone two existing lots from R1-6L to  
PD[R1-6L], in conjunction with the  
construction of two new detached, two-  
story single family homes.**



# General Plan

**Current  
Designation**  
**1888-1889**  
**Fairway Glen Dr.**  
**Single Family**  
**Detached**





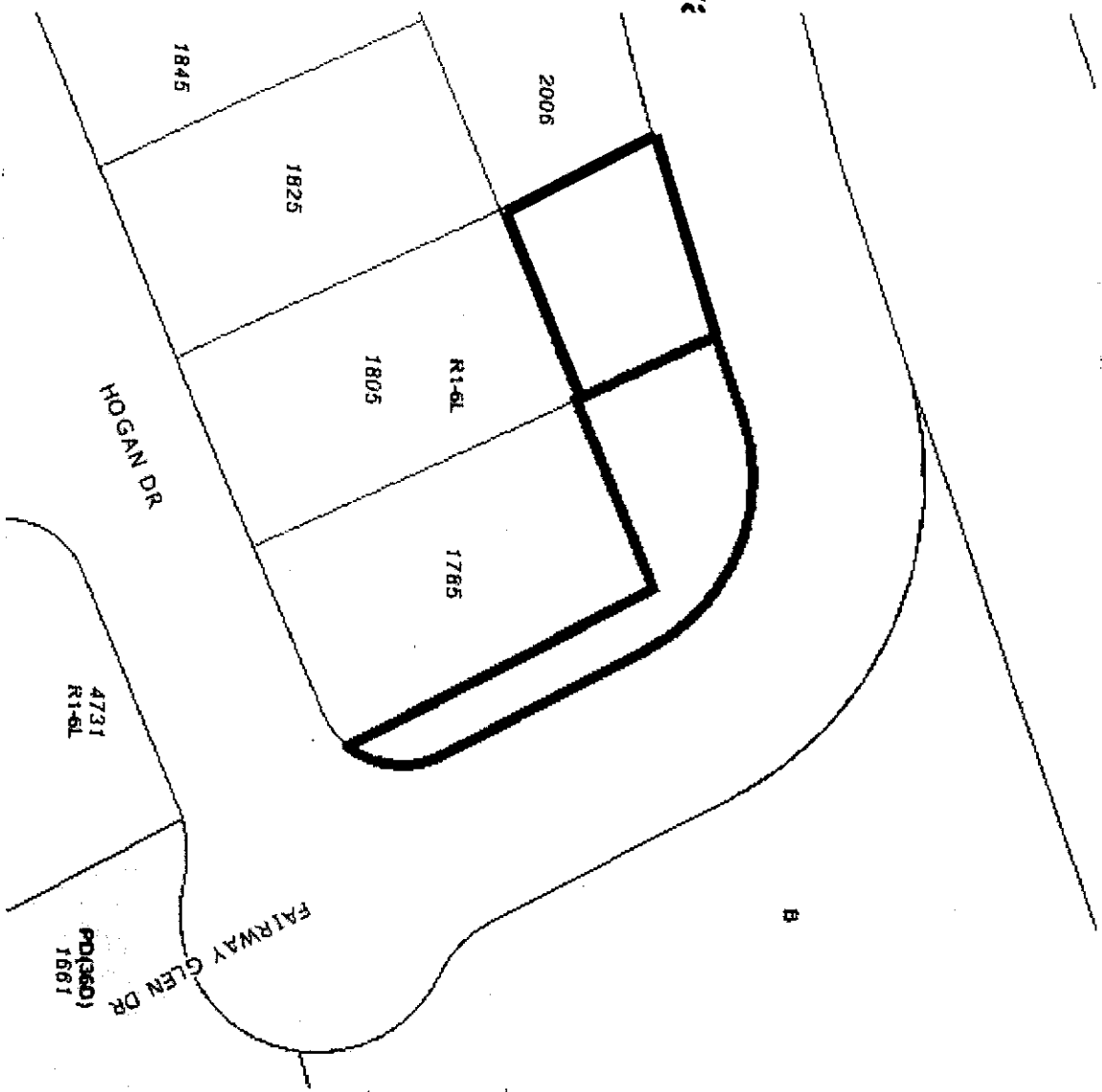
# Zoning Map

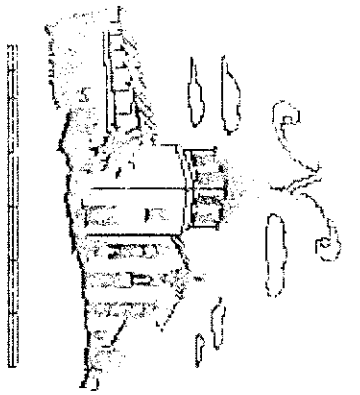
**Current  
Designation**

**1888-1889 Fairway**

**Glen Dr.**

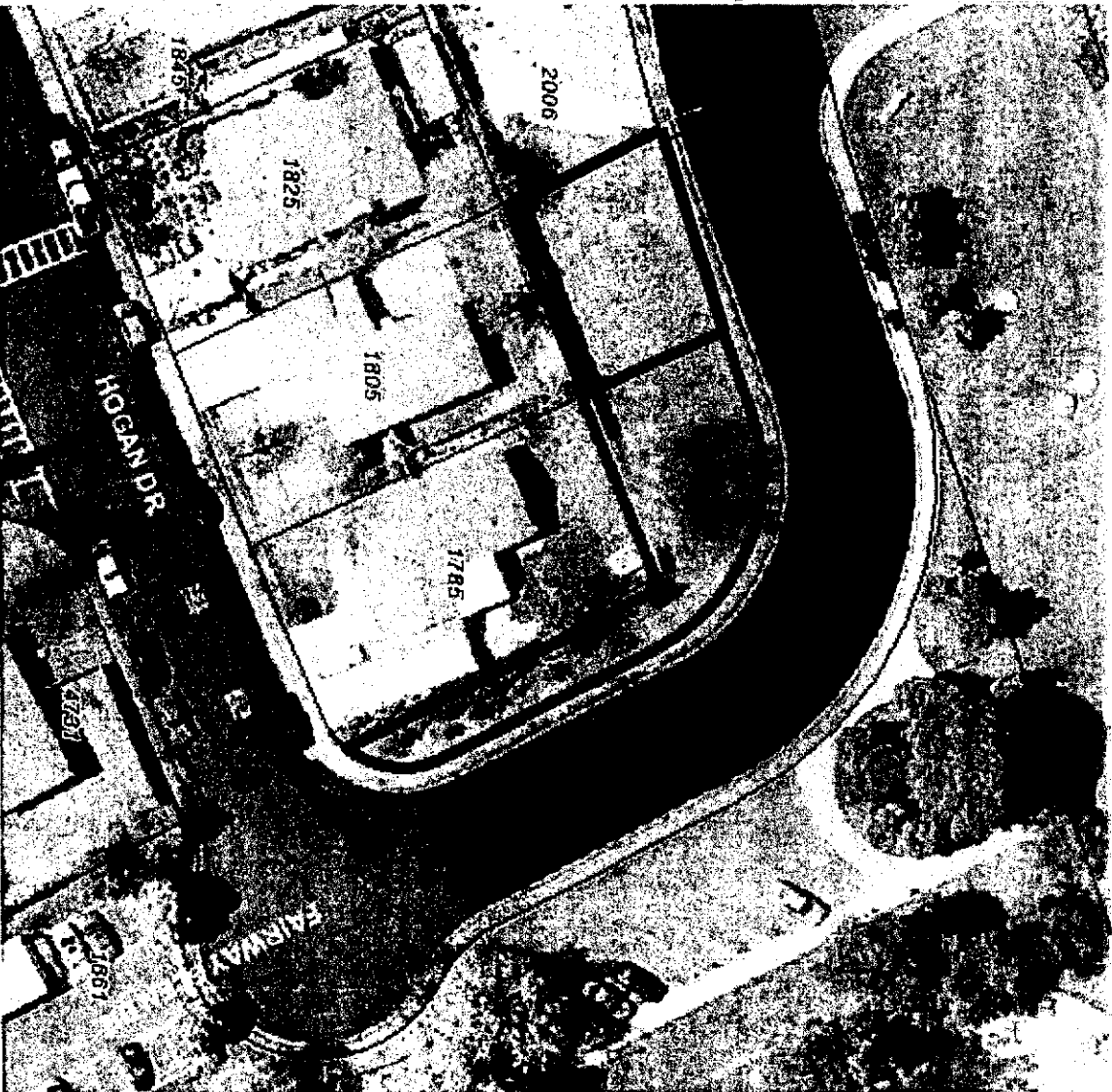
**R1-6L**





1888-1889 Fairwa  
Glen Dr.

# Aerial Photo



Proposed Project Site - View from Property Owner's Drive





Proposed Project Site- Graffiti on the Fence

Proposed Project Site- View from Corner of Fairway Glen Drive and  
Hogan Drive





Proposed Project Site- View from Corner of Fairway Glen  
Hogan Drive



View Toward West  
Fairway Open Drive

Prager





North Property - Hetchy-Hetchy  
Aquaduct

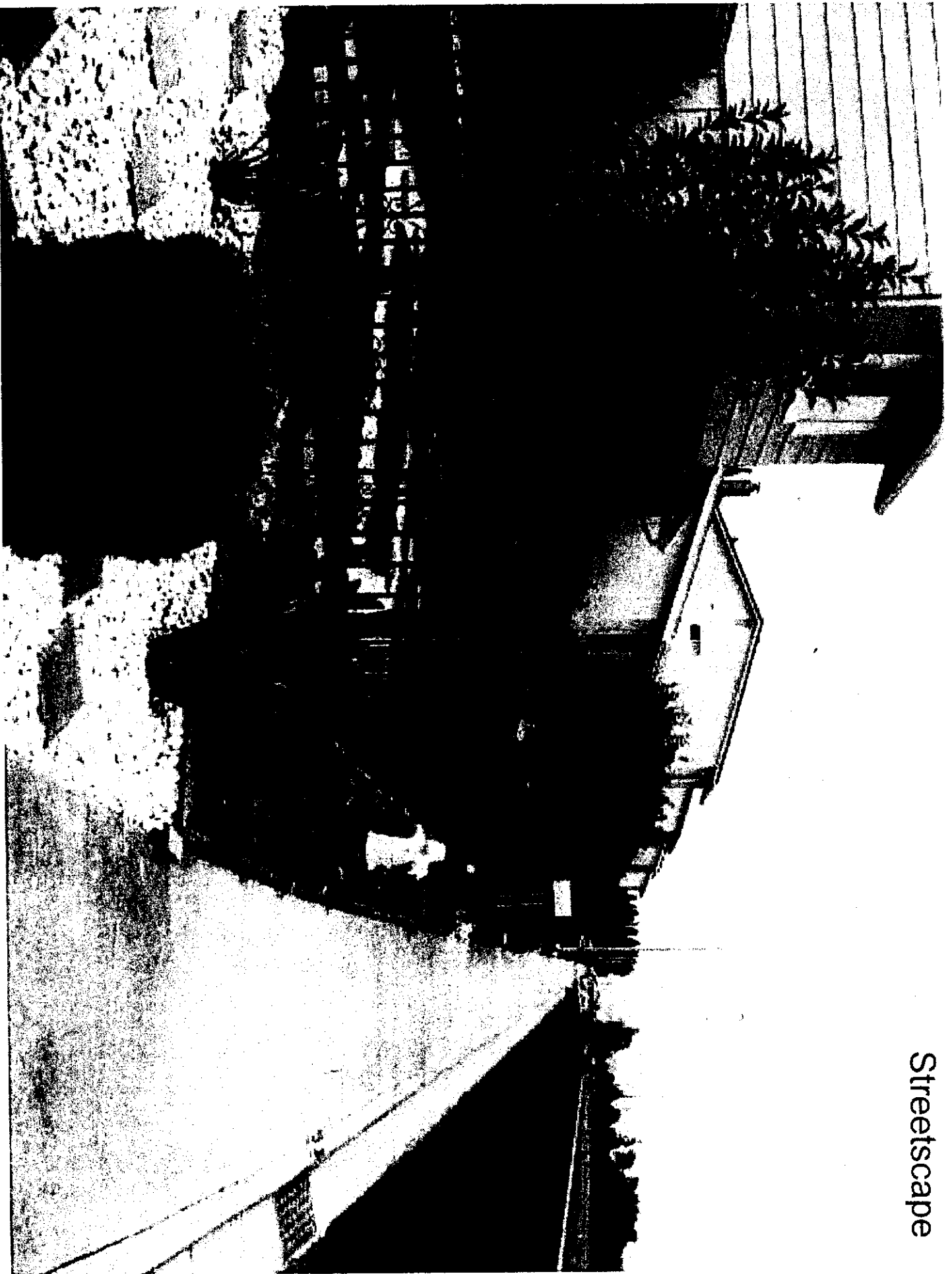


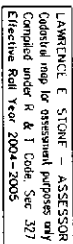
East Property

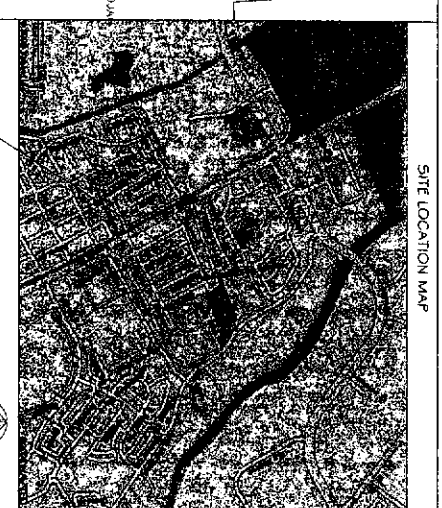


South Immediately Adjacent Property -  
Residential

# Streetscape







SQUARE FOOTAGE			SITE DATA AND ZONING			
DESCRIPTION	PLAN A	PLAN B	LOT A	PLAN A	LOT B	PLAN B
1ST BR.	418.03	418.03	A.P.N. 097-12-042		A.P.N. 097-12-042	
2ND FLOOR	653.82	653.82	LOT 502	18971-80-50 FT.	LOT 502	11577-61
TOTAL LIVING	1354.22	1235.53	% LOT CONTRAST	22.13%	50 FT.	
			% PLAN	43.59%	% LOT CONTRAST	
			ZONE: R-16-1	CHANGE TO	31' 0" R-16-1	
GARAGE	300.50	400.00			31' 0" R-16-1	
TOTALS	1743.12	1635.53			CHANGE TO P.D.	

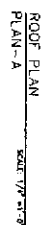
THIS PROJECT SHALL COMPLY WITH THE 2001 EDITION OF THE CALIFORNIA BLDG. CODE, TITLE 24, WHICH ADOPTS THE 2001 CALIF. BLDG. MECHANICAL, PLUMBING, 2004 ELECTRICAL, & 2003 SAFETY CODE (L.E. 1997 U.F.C., 2000 U.M.C., 2000 U.F.C., 2002 M.E.C.), AS AMENDED BY THE STATE OF CALIFORNIA.

- SHEET INDEX**
- |   |  |
|---|--|
| 1 | PROPOSED SITE PLAN, ROOM PLAN, SITE DATA |
| 1 | EXISTING SITE PLAN                       |
| 2 | PLAN A, ROOM PLANS                       |
| 3 | PLAN B, ROOM PLANS                       |
| 4 | PLAN C, FLOOR PLANS                      |
| 5 | PLAN D, ELEVATIONS                       |
| 6 | UNIVERSITY PLAN                          |

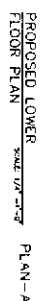
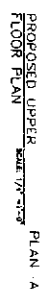
BUILDING TYPE: M OCCUPANCY GROUP: 2 FIRE SPRINKLER: NONE	C.B.C.: 2001
CONSTRUCTION DATA	
SCOPE OF WORK	

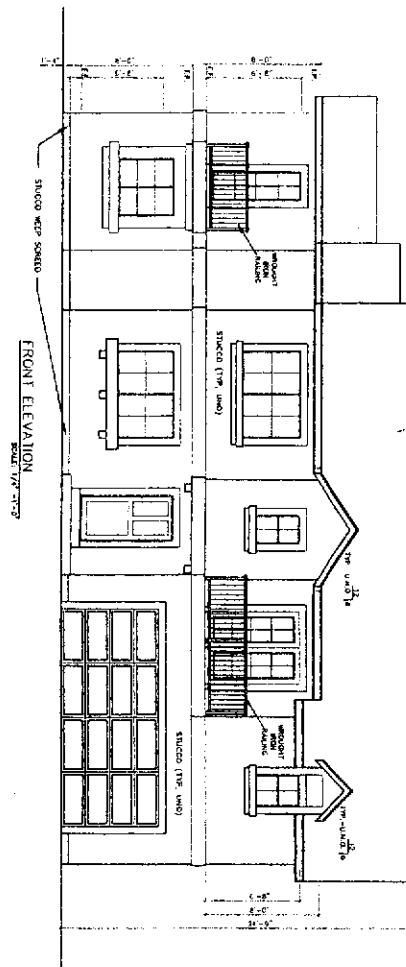
LOT ONE ADJUDICATED TWO NEW SINGLE FAMILY RESIDENCES TO BE CONSTRUCTED

1	FRED RAJA & BRIAN WILSON 1460 MONROE ST. SANTA CLARA CA 95050	<b>RICHARD KARO</b> <b>DRAFTING and PLANNING, INC.</b> 843 S. MCCLINTOCK LANE, CAMPBELL, CA. 95008 (408) 871-7300 <i>Richard Karo</i>		SITE PLAN	<div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> <div>26</div> <div>27</div> <div>28</div> <div>29</div> <div>30</div> <div>31</div> <div>32</div> <div>33</div> <div>34</div> <div>35</div> <div>36</div> <div>37</div> <div>38</div> <div>39</div> <div>40</div> <div>41</div> <div>42</div> <div>43</div> <div>44</div> <div>45</div> <div>46</div> <div>47</div> <div>48</div> <div>49</div> <div>50</div> <div>51</div> <div>52</div> <div>53</div> <div>54</div> <div>55</div> <div>56</div> <div>57</div> <div>58</div> <div>59</div> <div>60</div> <div>61</div> <div>62</div> <div>63</div> <div>64</div> <div>65</div> <div>66</div> <div>67</div> <div>68</div> <div>69</div> <div>70</div> <div>71</div> <div>72</div> <div>73</div> <div>74</div> <div>75</div> <div>76</div> <div>77</div> <div>78</div> <div>79</div> <div>80</div> <div>81</div> <div>82</div> <div>83</div> <div>84</div> <div>85</div> <div>86</div> <div>87</div> <div>88</div> <div>89</div> <div>90</div> <div>91</div> <div>92</div> <div>93</div> <div>94</div> <div>95</div> <div>96</div> <div>97</div> <div>98</div> <div>99</div> <div>100</div> </div>
---	---	---	--	-----------	--



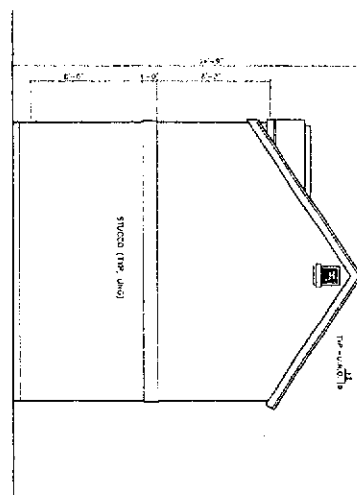
3 BEDROOM / 2.5 BATH



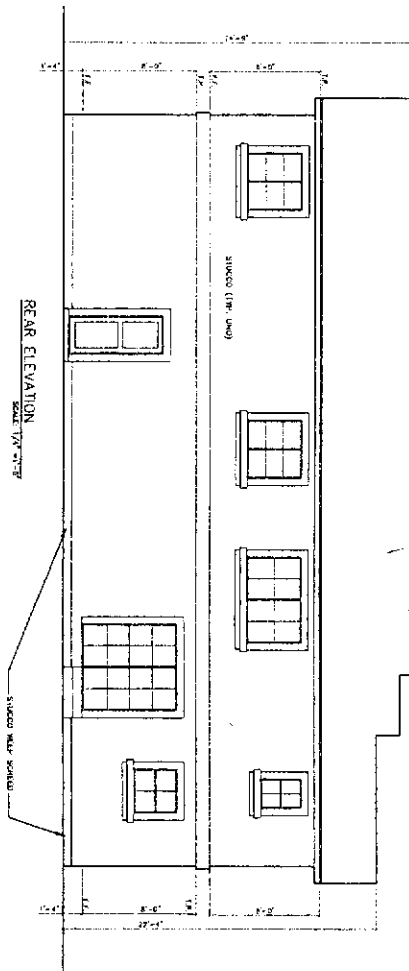


FRONT ELEVATION  
SCALE 1/8" = 1'-0"

CLASS "C" RESIDENTIAL  
200' TALL, 4' 6" DIA. PV  
10' 0" DIA. 10' 0" DIA.

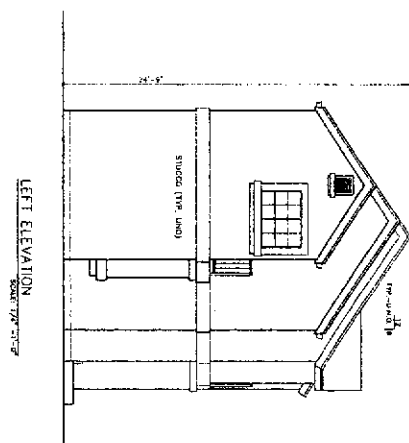


RIGHT ELEVATION  
SCALE 1/8" = 1'-0"



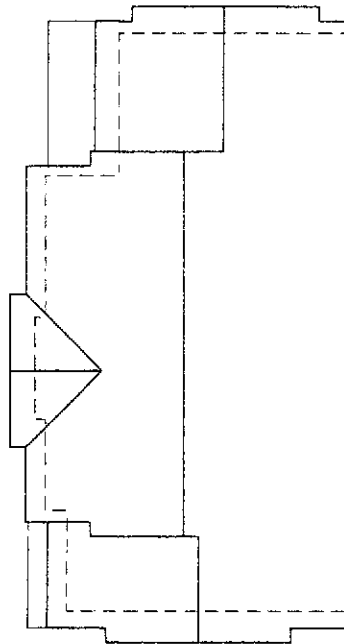
REAR ELEVATION  
SCALE 1/8" = 1'-0"

CLASS "C" RESIDENTIAL  
200' TALL, 4' 6" DIA. PV  
10' 0" DIA. 10' 0" DIA.



LEFT ELEVATION  
SCALE 1/8" = 1'-0"

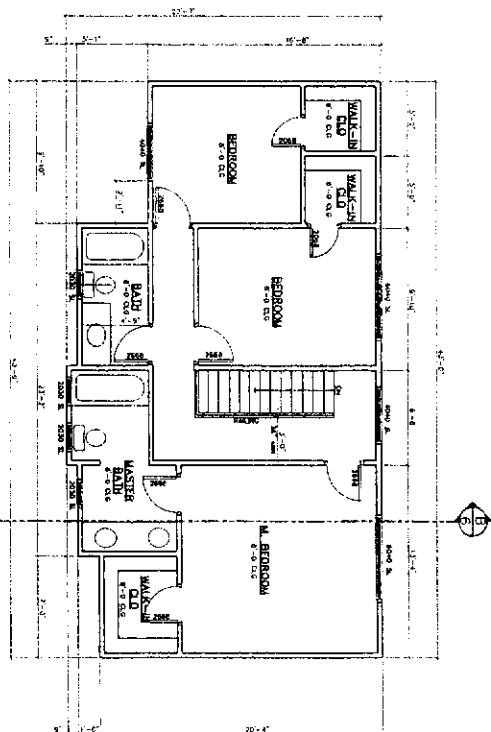




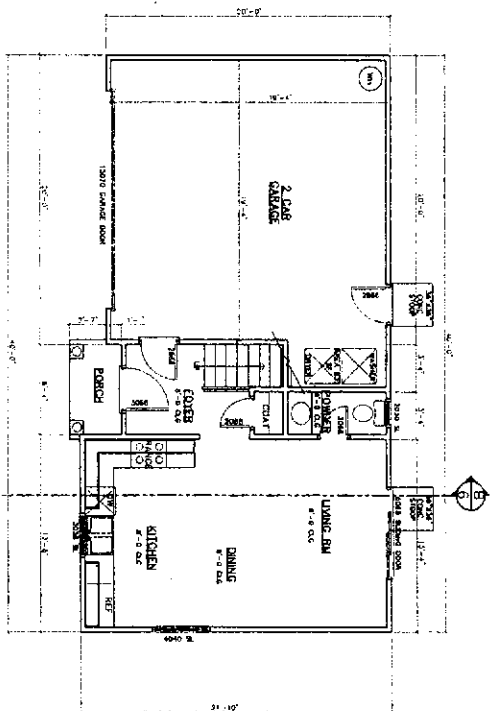
ROOF PLAN  
PLAN-B

3 BEDROOM / 2.5 BATH

1ST FLOOR - 2100 SQ. FT.  
2ND FLOOR - 1100 SQ. FT.  
TOTAL - 3200 SQ. FT.



PROPOSED UPPER  
FLOOR PLAN



PROPOSED LOWER  
FLOOR PLAN

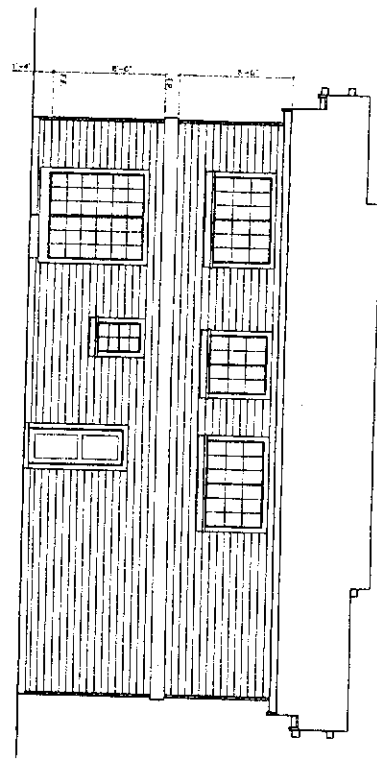
ROOF PLAN  
FLOOR PLAN -B



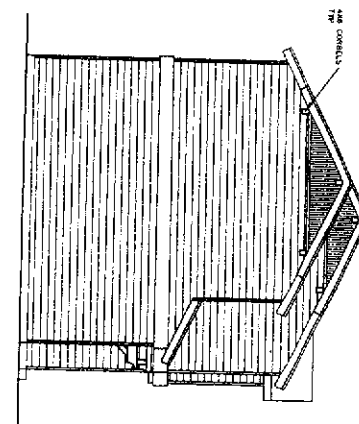
**RICHARD HARO**  
DRAFTING and PLANNING, INC.  
646 E. McCOLONY LANE, CAMPBELL, CA 95008  
(408) 571-7200

FRED RAJA & BRIAN WILSON  
1460 MONROE ST.  
SANTA CLARA CA 95050

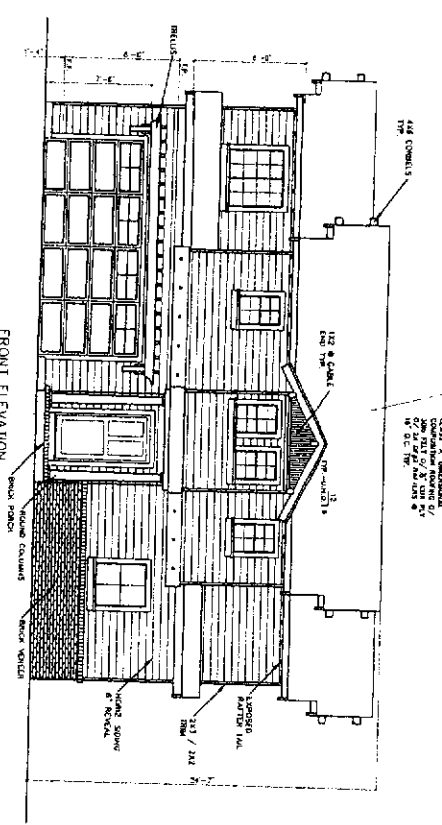
1/4" = 1'-0"  
RAJA / WILSON



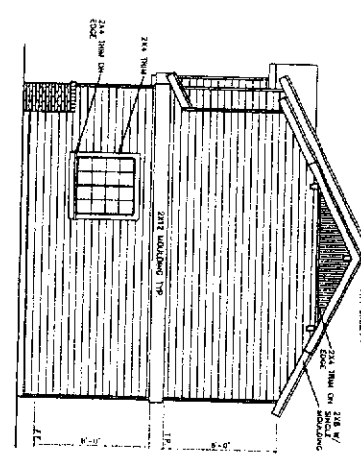
REAR ELEVATION  
SCALE 1/8" = 1'-0"



LEFT ELEVATION  
SCALE 1/8" = 1'-0"



FRONT ELEVATION  
SCALE 1/8" = 1'-0"



RIGHT ELEVATION  
SCALE 1/8" = 1'-0"

COL. 1/2" SHINGLES  
OPERATING ROOFING 5/8"  
1/2" x 1/2" x 1/2" x 1/2"  
1/2" x 1/2" x 1/2" x 1/2"

5	FRED RAIA & BRIAN WILSON 1460 MONROE ST. SANTA CLARA CA 95050	<b>RICHARD HANO</b> <b>DRAFTING and PLANNING, INC.</b> 845 S. HOLLECKEY LANE, CAMPBELL, CA. 95008 (408) 271-7300 <i>Richard Hano</i>		PLAN -B EXTERIOR ELEVATIONS	<div style="display: flex; justify-content: space-between;"> <div> <div>1/8" = 1'-0"</div> <div>RAIA / WILSON</div> </div> <div> <div>8-18-85</div> <div>HW</div> </div> </div>
					<div style="display: flex; justify-content: space-between;"> <div> <div>1/8" = 1'-0"</div> <div>RAIA / WILSON</div> </div> <div> <div>8-18-85</div> <div>HW</div> </div> </div>
					<div style="display: flex; justify-content: space-between;"> <div> <div>1/8" = 1'-0"</div> <div>RAIA / WILSON</div> </div> <div> <div>8-18-85</div> <div>HW</div> </div> </div>
					<div style="display: flex; justify-content: space-between;"> <div> <div>1/8" = 1'-0"</div> <div>RAIA / WILSON</div> </div> <div> <div>8-18-85</div> <div>HW</div> </div> </div>





1898 Fairway Glen Dr.

CITY OF SANTA CLARA  
AGENDA MATERIAL ROUTE SHEET

9/16/08  
Council Date: 8/26/08

SUBJECT: Rezone 1888 + 1898 Fairway Glen Dr.

**CERTIFICATION**

The proposed Agenda Report + Resolution  
Regarding 1888 + 1898 Fairway Glen Dr.  
has been reviewed and is hereby certified.

**PUBLICATION REQUIRED:**

The attached Notice/Resolution/Ordinance is to be published \_\_\_\_\_ time(s) at least \_\_\_\_\_ days before the scheduled meeting/public hearing/bid opening/etc., which is scheduled for \_\_\_\_\_, 200\_\_.

**AUTHORITY SOURCE FOR PUBLICATION REQUIREMENT:**

**Federal Codes:**

Title \_\_\_\_\_ U.S.C. § \_\_\_\_\_  
(Titles run 1 through 50)

**California Codes:**

Code \_\_\_\_\_ § \_\_\_\_\_  
(i.e., Government, Street and Highway, Public Resources)

**Federal Regulations:**

Title \_\_\_\_\_ C.F.R. § \_\_\_\_\_  
(Titles run 1 through 50)

**California Regulations:**

Title \_\_\_\_\_ California Code of Regulations § \_\_\_\_\_  
(Titles run 1 through 28)

**City**

City Charter § \_\_\_\_\_ (i.e., 1310. Public Works Contracts. Notice published at least once at least ten days before bid opening)

City Code § \_\_\_\_\_

1. As to City Functions, by

*Kern L. Riley*  
Department Head

2. As to Legality, by

*Helene Hecht*  
City Attorney's Office / CAO Assignment No 08. 1242

3. As to Environmental  
Impact Requirements, by

*Kern L. Riley*  
Director of Planning and Inspection

4. As to Substance, by

*J. Sparacino*  
City Manager

Revision Date June 7, 2005